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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

) No. C-06-3644 (JSW)
ROSEMARY MUCKLOW; PHIL SALGADO,)
in their capacities as Trustees of the) PLAINTIFFS' CASE MANAGEMENT
NORTHERN CALIFORNIA UFCW) STATEMENT AND REQUEST FOR
WHOLESALE HEALTH & WELFARE) CONTINUANCE OF CASE
FUND,) MANAGEMENT CONFERENCE;
) [PROPOSED] ORDER AS MODIFIED
Plaintiffs,)
) Date: October 5, 2006
v.) Time: 9:30 a.m.
) Judge: Honorable Jeffrey S. White
MODESTO TALLOW COMPANY, a) Ctrm: 2, 17th Floor
California Corporation,)
)
Defendant.)

Plaintiffs Rosemary Mucklow and Phil Salgado, in their capacities as Trustees of the Northern California UFCW Wholesale Health and Welfare Fund, hereby request that the Court continue the October 5, 2006 Case Management Conference for at least 120 days and vacate the related deadlines.

1. Pursuant to the Court's Order Setting Initial Case Management Conference and ADR Deadlines, a Case Management Conference in this action is set for October 5, 2006 at 9:30 a.m. Other case management deadlines precede and are set in relation to the Case Management Conference.

2. Defendant Modesto Tallow Company, a California Corporation, was timely served with the complaint on July 19, 2006, but failed to answer the complaint. A true and correct copy of

the Proof of Service has been filed with the Court.

3. Plaintiffs filed a Request for Entry of Default on August 15, 2006, and the Court entered that default against Defendant on August 23, 2006.

4. Plaintiffs plan on filing a Motion for Default Judgment on or before December 31, 2006 and will be scheduling a hearing date with the Court for said Motion.

Therefore, Plaintiffs request that the Court continue the Case Management Conference for at least 120 days and vacate the related deadlines.

Dated: September 22, 2006

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ Linda Baldwin Jones
LINDA BALDWIN JONES
Attorneys for Plaintiffs

[PROPOSED] ORDER

Based upon the foregoing, the Court orders that:

1. The Case Management Conference date of October 5, 2006 and related deadlines be vacated; and
2. The Case Management Conference be continued for at least 120 days to January 12, 2007, at 1:30 p.m.

Dated: September 27, 2006


HONORABLE JEFFREY S. WHITE
JUDGE OF THE DISTRICT COURT

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